

Docket No. 06778-0116

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Civelli, Olivier, et al.	RESPONSE UNDER 37 CFR 1.116 <u>EXPEDITED PROCEDURE</u>
		Customer No.: 41552
Appl. No.:	09/932,161	Confirmation No.: 5376
Filed:	August 17, 2001	Group Art Unit: 1647
		Examiner: R. DeBerry
Title: SCREENING AND THERAPEUTIC METHODS FOR PROMOTING WAKEFULNESS AND SLEEP		

CERTIFICATE OF MAILING BY EXPRESS MAIL(37 CFR § 1.10)

"Express Mail" Mailing Label Number EV 540267544 US

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Sept. 1, 2004.

Cris Johnson
Cris Johnson

RESPONSE TO OFFICE ACTION

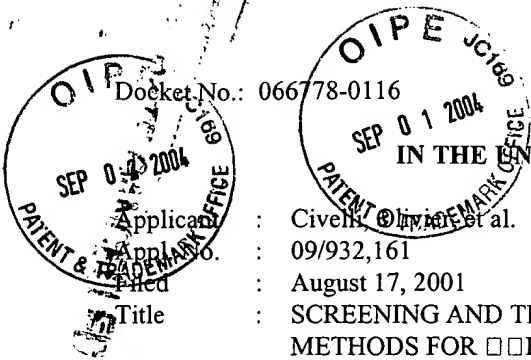
Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action mailed June 9, 2004, entry of the following amendments and remarks is respectfully requested.

Amendments to the claims are reflected in the listing of "Current Status of Claims" that begins of page 2 of this paper.

Remarks begin on page 4 of this paper.



09-3-07

AF/1647
JFW

PATENT

Docket No.: 066778-0116

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Civeni, et al.
App. No.: 09/932,161
Filed: August 17, 2001
Title: SCREENING AND THERAPEUTIC METHODS FOR PROMOTING WAKEFULNESS AND SLEEP

Customer No.: 41552
Confirmation No.: 5376

CERTIFICATE OF MAILING BY EXPRESS MAIL (37 CFR § 1.10)
"Express Mail" Mailing Label Number EV 540267544 US

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Sept. 1, 2004
Cris Johnson
Cris Johnson

Grp./A.U.: 1647
Examiner: R. DeBerry

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is Response to Office Action in the above-identified application.

- ☒ No additional fee is required.
- ☐ Applicant is entitled to small entity status under 37 CFR 1.27
- ☐ Also attached:

The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	4	33	0	\$9.00 =	\$0.00
Independent Claims	1	4	0	\$43.00 =	\$0.00
Multiple claims newly presented					\$0.00
Fee for extension of time					\$0.00
					\$0.00
Total of Above Calculations					\$0.00

- ☐ Please charge my Deposit Account No. 502624 in the amount of \$0.00. An additional copy of this transmittal sheet is submitted herewith.
- ☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 502624, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP

Matthew V. Grumbling
Matthew V. Grumbling
Registration No. 44,427

4370 La Jolla Village Drive, Suite 700
San Diego, CA 92122
858.535.9001 MVG:cej
Facsimile: 858.597.1585
Date: September 1, 2004